

1 LAW OFFICES OF STEPHEN BENDA  
Stephen Benda (SBN 126608)  
2 750 Menlo Avenue, Suite 350  
Menlo Park, CA 94025  
3 Telephone: (650) 323-6600  
Fax (650) 323-6642

4 Attorneys for Creditor  
5 Ning Liu

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8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 OAKLAND DIVISION

11 In re

12  
13 WILLIAM KWOK WAI WONG aka KWOK  
WAI WONG, aka WILLIAM WONG,

14 Debtor.

15  
16 NING LIU,

17 Plaintiff,

18 vs.

19 WILLIAM KWOK WAI WONG aka KWOK  
WAI WONG, aka WILLIAM WONG,

20 Defendant.  
21

Chapter 7

Bankruptcy Case No. 13-41150 RLE 7

Adv. Proc. No. 13-04114

**DECLARATION OF STEPHEN BENDA  
IN SUPPORT OF EX PARTE MOTION  
TO CONTINUE CALENDAR DATES**

22  
23 I, Stephen Benda, declare as follows:

24 1. I am a member of the State Bar in good standing and attorney of record for Plaintiff  
25 Ning Liu.

26 2. The above-referenced case is an adversarial proceeding by our client Ning Liu vs.  
27 William Wong to void discharge of certain debts to our client pursuant to 11 USC § 523(a)(4) & (6)  
28 in respect to acts following entry of judgment for the "discharged" amounts from a State Court

Declaration of Stephen Benda in Support of Ex Parte Motion to Continue Calendar Dates  
Liu v. Wong; BK 13-41150 RLE7 and AP 13-04114

Page 1 of 3

1 judgment entered against Mr. Wong in a previous State action.

2 3. There is a second State Court trial regarding Mr. Wong's and other trial actions  
3 following the entry of the first State Court judgment, which would be determinative of this  
4 proceeding now pending in this adversarial case. The second State Court case is in Alameda County  
5 Superior Court and was filed on August 20, 2010. The bench trial began on March 17, 2014, and  
6 finished on April 7, 2014 was heard over a period of several days during this time period by Judge  
7 Robert Freedman.

8 4. The post-trial briefs that the State Court has asked the parties to file were filed on  
9 April 30, 2014, to aid the Court in rendering its tentative decision. The return date for the litigants is  
10 now **September 12, 2014**, and the Court announced that it expects to render its tentative decision at  
11 the end of **August 2014**.

12 5. State Court procedure allows each side the right to request a statement of decision  
13 which procedure can take up to 60 days before the Court issues its statement of decision.  
14 Subsequently or concurrently, the Court or any party asked by the Court can prepare a draft judgment  
15 for the Court's signature. Accordingly, it is likely that a final judgment by the Trial Court would not  
16 be entered on or before November 15, 2014.

17 6. Accordingly, dispositive motions to be filed and heard in Bankruptcy Court could  
18 quite likely take the litigants in this Court through December 31, 2014. With a potential settlement  
19 date up to say January 31, 2015, and if not settled pursuant to the previous orders, the pre-trial  
20 conference in the Bankruptcy Court might be held on February 10, 2015 usefully.

21 7. Given the above, it appears that the time table pursuant to the ex parte order  
22 continuing calendar dates, docket number 16 entered on April 30, 2014, is certainly no longer viable.

23 8. My suggestion is that a new order be issued giving the litigants in bankruptcy court  
24 through December 31, 2014 to file and hear any dispositive decisions with a potential date up to  
25 January 31, 2015, and a pre-trial conference in Bankruptcy Court to be held on February 10, 2015.

26 9. I have discussed this matter with the opposing attorney, Ms. Uy the attorney for Mr.  
27 Wong and she is agreeable to having such an Order entered by the Court should the Court assent to  
28 the dates.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing  
2 is true and correct.

3 Dated: August 19, 2014

4 /s/ Stephen Benda  
5 Stephen Benda  
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